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By Germaine Brenkert  
Germaine Brenkert  
Dated: March 30, 2004

Patent  
Atty. Docket: J8-058 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : J. Maxa  
Serial No. : 10/679,590  
Filing Date : October 6, 2003  
Examiner : --  
Group Art Unit : 3765  
For : METHOD OF PRODUCING HOSE-LIKE KNITWEAR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

- ☐ Under 37 C.F.R. 1.129(a), or  
(First/Second Submission after Final Rejection)
- ☒ Under 37 C.F.R. 1.97(b), or  
(Within any one of the following time periods: three (3) months of filing national application, other than a CPA, or date of entry of the national stage in an international application; or before the mailing date of a first official action on the merits in a non-provisional application, including a CPA; or a Request for Continued Examination (RCE))
- ☐ Under 37 C.F.R. 1.97(c), together with either:
- ☐ Statement under 37 C.F.R. 1.97(e), as checked below, or
- ☐ Fee of \$180.00 under 37 C.F.R. 1.17(p), or  
(After the 37 C.F.R. 1.97(b) time period, but before Final Office Action or Notice of Allowance, whichever issues first)
- ☐ Under 37 C.F.R. 1.97(d), together with:

☐ Statement under 37 C.F.R. 1.97(e), as checked below, and

☐ Fee of \$180.00 under 37 C.F.R. 1.17(p), or  
(Filed after Final Office Action or Notice of Allowance, whichever issues first,  
but on or before payment of Issue Fee)

☐ Under 37 C.F.R. 1.97 (i):

Applicant respectfully requests that the I.D.S. and cited reference(s)  
be placed in the application file wrapper (Filed after payment of Issue Fee).

**Statement Under 37 C.F.R. 1.97(e):**

☐ Each item of information contained in this Information Disclosure  
Statement was first cited in any communication from a foreign Patent  
Office in a counterpart foreign application not more than three (3)  
months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure  
Statement was cited in a communication from a foreign Patent Office in a  
counterpart foreign application, and, to the knowledge of the  
undersigned, after making reasonable inquiry, no item of information  
contained in the Information Disclosure Statement was known to any  
individual designated in 37 C.F.R. 1.56(c) more than three (3) months  
prior to the filing of this Information Disclosure Statement.

**Statement Under 37 C.F.R. 1.704 (d) - (Patent Term Adjustment):**

(Applies to original applications, other than designs, filed on or after May 29, 2000)

☐ Each item of information contained in the Information Disclosure  
Statement was cited in a communication from a foreign Patent Office in a  
counterpart application and this communication was not received by any  
individual designated in §1.56(c) more than thirty (30) days prior to  
the filing of the Information Disclosure Statement.

**Enclosed Herewith is Form PTO-1449, and:**

☒ Copies of the cited references are enclosed.

☐ Copies of the cited references are enclosed, except those entered in  
prior application, U.S. Serial No. \_\_\_\_\_, to which priority under  
35 U.S.C. 120 is claimed (The earlier application contains copies of the  
cited references).

☐ The listed references were cited in the enclosed International Search  
Report in a counterpart foreign application.

☒ The "concise explanation" requirement is satisfied by:

- ☒ the explanation provided on the attached sheet;
- ☐ the explanation provided in the specification;
- ☐ submission of the enclosed International Search Report; or
- ☐ the enclosed English language Abstract.

☐ Applicant requests that the following pending applications be  
considered:

U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_  
U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_  
U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- [ ] A copy of each above-cited application, including the current claims, is enclosed.
- [ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application Serial No. \_\_\_\_\_, to which priority under 35 U.S.C. 120 is claimed.

The Examiner is respectfully requested to return a copy of the above list of pending applications indicating which references were considered with the next Official Action.

Further, it is respectfully requested that the information disclosed herein be made of record in this application.

**Method of Payment:**

- [ ] A check for the fee noted above is enclosed.
- [ ] Please charge our deposit account No. 14-1431.
- [XX] The Commissioner is authorized to charge any deficiency in payment of fees and credit any overpayment to our Deposit Account No. 14-1431.

Respectfully submitted,



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Dated: March 30, 2004

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Serial No.: 10/679,590

#### COMMENTS

U.S. Patent 3,609,998 discloses a method and apparatus for producing of closed toe directly in a machine. A toe is knitted by reverse run after the knitwear is caught on rehangng sinkers of the apparatus half-disc. When the toe pouch is finished, the half-disk is tilted to the needles of the remaining half-circle of needles, which needles did not take part in the toe knitting and the knitwear re-hanged on the half-disk is transferred directly on the needles of the remaining half-circle, whereby, the knitwear is closed. Then, the rest of the knitwear is knitted.

The same method of toe knitting and the same apparatus are disclosed in U.S. Patent 5,727,400, U.S. Patent 5,907,960 and EP 838,544.

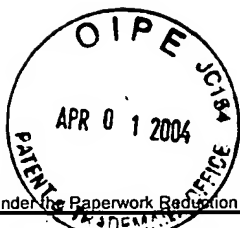
Further, various alternatives of the tilting half-plate and embodiments of the re-hanging sinkers are disclosed in U.S. Patent 5,816,075, U.S. Patent 5,761,931, U.S. Patent 855,122 and U.S. Patent 6,176,106.

Disadvantages of this principle and of the respective apparatus are described in the present application.

U.S. Patent 6,223,564 describes the final development of the transferring sinkers. This limits functionality of this apparatus for other knitwear types, but mainly it is reflected in the sinker lifetime.

The assortment of sinkers for the function of the apparatus as such is broader in comparison to the machines not knitting the closed toe.

An advantage of the present application is that the instrument sinkers are not tilted, which brings about accuracy in the reverse transfer to the needles of the second half-circle.



PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/679,590
Filing Date	October 6, 2003
First Named Inventor	Jaroslav Maxa et al.
Art Unit	3765
Examiner Name	--
Attorney Docket Number	J8-058 US

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3,609,998	10/05/1971	F.H. Mutze et al.	
		US- 5,727,400	03/17/1998	Lonati et al.	
		US- 5,907,960	06/01/1999	Lonati et al.	
		US- 5,816,075	10/06/1998	Lonati et al.	
		US- 5,761,931	06/09/1998	Lonati et al.	
		US- 855,122	05/28/1907	C.T. McElvaney	
		US- 6,176,106	01/23/2001	Lonati et al.	
		US- 6,223,564	05/01/2001	Lonati et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AA	EP 0 838 544	10/17/1997	Lonati et al.		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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